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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,260	03/21/2001	Scott E. Moore	MI22-1663	6202

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WELLS ST. JOHN P.S.
601 W. FIRST AVENUE, SUITE 1300
SPOKANE, WA 99201

EXAMINER

ELEY, TIMOTHY V

ART UNIT	PAPER NUMBER
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3724

DATE MAILED: 07/10/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/814,260

Applicant(s)

MOORE ET AL.

Examiner

Timothy V Eley

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 68-95, 103-106, 118 and 129 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 118-125 is/are allowed.
- 6) ☒ Claim(s) 68-71, 74-76, 84-87, 91-95, 103, 126, 128 and 129 is/are rejected.
- 7) ☒ Claim(s) 72, 73, 77-83, 88-90, 104-106 and 127 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,589,110
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 92 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. Claim 19 is awkwardly worded.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

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6. Claims 103,126,128, and 129 are rejected under 35 U.S.C. 102(a) as being anticipated by Kurisawa.

a. Kurisawa discloses a semiconductor workpiece processing method comprising: providing a semiconductor process system; transporting a process fluid relative to the semiconductor processor system; monitoring the process fluid; and recirculating the process fluid after the monitoring, or a method of delivering semiconductor workpiece process fluid to a semiconductor processor comprising: providing semiconductor workpiece process fluid; transporting the semiconductor workpiece process fluid relative to a semiconductor processor; and monitoring the semiconductor workpiece process fluid. See the abstract.

b. Regarding claim 128, since the sensor measures concentration of the process fluid, it inherently compares the process fluid with a signature.

c. Regarding claim 129, the providing comprises mixing a plurality of components, and controlling the mixing responsive to the monitoring.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8. Claims 68,69,76,84-86, and 105 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurisawa.

a. Kurisawa is explained above.

b. Kurisawa does not specifically disclose storing historical data of the process fluid after the monitoring or a process chamber.

c. To store historical data of the process fluid after the monitoring would have been an obvious matter of choice to one having ordinary skill in the art at the time of the invention, since storing data would clearly allow for better operation of the method.

d. Also, it would have been obvious to one having ordinary skill in the art at the time of the invention to provide the processor system within a process chamber in order to enclose the workpiece therein and therefore reducing the passing of contaminants to the atmosphere.

9. Claims 68-71,74-76,85-87,91,94, and 95 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka '620 et al.

a. Tanaka et al disclose a semiconductor workpiece processing method comprising: providing a semiconductor processor system; processing the semiconductor workpiece using a process fluid; monitoring the process fluid; and controlling at least on operation of the semiconductor system responsive to the monitoring. See specifically column 6, lines 17-27.

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b. Tanaka et al do not specifically disclose storing historical data of the process fluid after the monitoring or a process chamber.

c. To store historical data of the process fluid after the monitoring would have been an obvious matter of choice to one having ordinary skill in the art at the time of the invention, since storing data would clearly allow for better operation of the method.

d. Also, it would have been obvious to one having ordinary skill in the art at the time of the invention to provide the processor system within a process chamber in order to enclose the workpiece therein and therefore reducing the passing of contaminants to the atmosphere.

e. Regarding claims 74-76, exactly when the monitoring takes place would have been an obvious matter of choice to one having ordinary skill in the art at the time of the invention since clearly the monitoring at any particular time should have a set value in order to provide consistency of the process.

10. Claim 93 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka '620 et al in view of Kurisawa.

a. Tanaka et al is explained above.

b. Tanaka et al do disclose controlling a recirculation system to recirculate process fluid.

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c. Kurisawa teaches that it is well known to use a recirculation system to recirculate process fluid and controlling the system in order to reuse process fluid.

d. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to have modified the method disclosed by Tanaka et al by using a recirculation system to recirculate process fluid and controlling the system in order to reuse process fluid as taught by Kurisawa in order to reduce cost.

Allowable Subject Matter

11. Claims 72,73,77-83,88-90,104-106, and 127 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. Claims 118-125 are allowed.

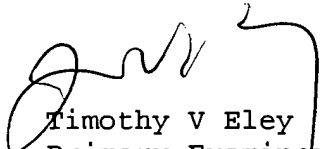
Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy V Eley whose telephone number is 703-308-1824. The examiner can normally be reached on M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N Shoap can be reached on 703-308-1082. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.



Timothy V Eley
Primary Examiner
Art Unit 3724



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July 8, 2003